

1 BILL NO. G-85-06-11 (as amended)

2 GENERAL ORDINANCE NO. G-15-85

3 AN ORDINANCE requiring the approval
4 of the Common Council of the City
5 of Fort Wayne, Indiana, for purchases
6 and/or leases of real estate by the
7 City and its utilities

8 WITHNESSETH:

9 WHEREAS, Indiana law does not address those situations
10 in which a municipality and/or its utilities acquires real estate;

11 WHEREAS, pursuant to "Home Rule legislation" cities
12 have all powers necessary to properly govern themselves; and

13 WHEREAS, this Ordinance is adopted to require Council
14 approval when the City and/or its utilities acquires or leases
15 real estate.

16 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL
17 OF THE CITY OF FORT WAYNE, INDIANA:

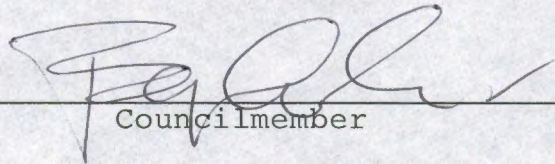
18 SECTION 1. The Municipal Code of the City of Fort
19 Wayne, Indiana, is hereby amended by adding thereto Section
20 11-2 which reads as follows:

21 Section 11-2. COMMON COUNCIL APPROVAL
22 REQUIRED FOR PURCHASES AND/OR LEASES
23 OF REAL ESTATE.

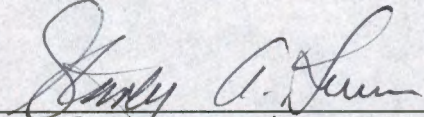
24 Whenever the Civil City or
25 any of its utilities desires
26 to purchase or lease (as lessee),
27 or acquire by gift any real estate,
28 such purchase and/or lease or
29 acquisition shall not be con-
30 summated and/or entered into with-
31 out the prior approval or sub-
32 sequent ratification by ordinance
or resolution duly passed by the
Common Council of the City of
Fort Wayne, Indiana, and approved
by the Mayor. Any purchases and/or
leases or acquisition of real
estate consummated without such prior
approval or subsequent ratification
shall be null and void.

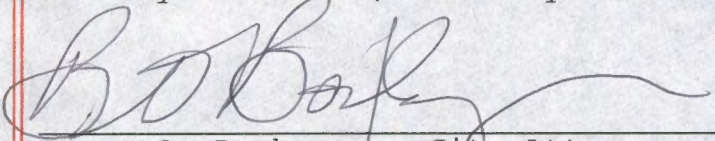
SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and any and all necessary
approval by the Mayor.

Page Two


Councilmember

APPROVED AS TO FORM
AND LEGALITY


Stanley A. Levine, Attorney for Common Council


Bruce O. Boxberger, City Attorney

FOX RIVER BOND
25% COTTON

Read the first time in full and on motion by Redd, seconded by Slater, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.

DATE: 6-11-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd, seconded by Slater, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	<u>1</u>	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	<u>✓</u>	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 6-25-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (GENERAL) (~~SPECIAL~~) (~~ZONING MAP~~) ORDINANCE (RESOLUTION) NO. D-15-85 on the 25th day of June, 1985,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of June, 1985, at the hour of 11:30 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day of June, 1985, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

1 BILL NO. G-85-06- 11

2 *As Amended* GENERAL ORDINANCE NO. G- _____

3 AN ORDINANCE requiring the approval
4 of the Common Council of the City
5 of Fort Wayne, Indiana, for purchases
6 and/or leases of real estate by the
7 City and its utilities.

8 WITNESSETH:

9 WHEREAS, Indiana law does not address those situations
10 in which a municipality and/or its utilities acquires real estate;

11 WHEREAS, pursuant to "Home Rule legislation" cities
12 have all powers necessary to properly govern themselves; and

13 WHEREAS, this Ordinance is adopted to require Council
14 approval when the City and/or its utilities acquires or leases
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16 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
17 THE CITY OF FORT WAYNE, INDIANA:

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19 Indiana, is hereby amended by adding thereto Section 11-2 which
20 reads as follows:

21 Section 11-2. COMMON COUNCIL APPROVAL
22 REQUIRED FOR PURCHASES AND/OR LEASES
23 OF REAL ESTATE.

24 Whenever the Civil City or
25 any of its utilities desires
26 to purchase ~~or lease~~ (as lessee), *or acquire by gift*
27 any real estate, ^{*on acquisition*} such purchase
28 and/or lease ~~shall~~ not be con-
29 summated and/or entered into with-
30 out the prior approval or sub-
31 sequent ratification by ordinance
32 or resolution duly passed by the
Common Council of the City of
Fort Wayne, Indiana, and approved
by the Mayor. Any purchases
and/or leases ^{*on acquisitions*} of real estate con-
summated without such prior ap-
proval or subsequent ratification
shall be null and void.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and any and all necessary
approval by the Mayor.

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BILL NO. G-85-06-11

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) requiring the approval of the
Common Council of the City of Fort Wayne, Indiana, for purchases
and/or leases of real estate by the City and its utilities

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~) AS AMENDED

YES

NO

Charles B. Redd CHARLES B. REDD
CHAIRMAN

Janet G. Bradbury JANET G. BRADBURY
VICE CHAIRWOMAN

James S. Stier JAMES S. STIER

Ben A. Eisbart BEN A. EISBART

Donald J. Schmidt DONALD J. SCHMIDT

CONCURRED IN 6-25-85

SANDRA E. KENNEDY
CITY CLERK